

REMARKS

Claims 1-3 are currently pending in this application. In the Office Action, the Examiner has rejected Claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over Kikinis (U.S. 6,243,596) in view of Tsukamoto et al. (U.S. 5,005,013) and further in view of Lagoni et al. (U.S. 6,141,058) and further in view of Porco (U.S. 4,873,712) and further in view of Hofmann et al. (U.S. 4,427,847).

Regarding the rejection of independent Claim 1 under §103(a), the Examiner states that Kikinis in view of Tsukamoto et al. and further in view of Lagoni et al. and further in view of Porco and further in view of Hofmann et al. renders the claim unpatentable. Kikinis discloses a method and apparatus for modifying and integrating a cellular phone with the capability to access and browse the Internet; Tsukamoto et al. discloses a pager with a display function; Lagoni et al. discloses a television receiver having a user-editable telephone system caller-ID feature; Porco discloses a telephone controlled interrupter circuit; and, Hofmann et al. discloses a television/telephone system with an annunciator and intercom feature.

Lagoni et al. at col. 4, lines 23-31, discloses a process of informing a user of the receipt of an incoming call while displaying a Caller-ID of the incoming call on a particular part of a television (TV) screen while watching TV.

Porco at col. 3, line 44 to col. 5, line 27, discloses an electrical system 10 comprising a battery 12, a monitor circuit 24 and an interrupt circuit 26, wherein the monitor circuit 24 is configured to transmit power to a cellular telephone 20, while the interrupt circuit 26 supplies power to an audio system 22. When the cellular telephone function is operating, the monitor circuit supplies power to the cellular telephone 20, and transmits a control signal to the interrupt circuit 26 so that the interrupt circuit is unable to supply power to the audio system 22, thus inactivating the audio system 22. Further, when the cellular telephone function is not operating, e.g. in a standby mode, the control signal provided to the interrupt circuit 26 is removed allowing the interrupt circuit to supply power to the audio system 22.

Hofmann et al. at col. 4, line 55 to col. 5, line 26, discloses a ring detector that detects a ring signal when the ring signal is generated during a TV mode, and informs a user that the ring signal is generated by flashing an LED or through the generation of an audio signal, which is linked to an alerting signals generator.

Claim 1 recites, in part, a second incoming call alarm mode that includes switching off and on, at a predetermined interval, the audio signal output from the TV module. The Examiner alleges that Hofmann et al. discloses this feature. The Examiner cites col. 4, line 55 – col. 5, line 26 in support of the rejection. This section of Hofmann et al. recites in part:

While television receiver 8 is operating normally, telephone network access means 12 is monitoring telephone network 14 to detect a ringer signal, if one should occur. It will be noted that switches 32A, 32B and 32C are shown as providing for operation in the TV mode. Upon occurrence [sic] of a ringer signal from telephone network 14, the signal is routed to a ring detector 45 of telephone network access means 12 which in turn is linked to an alerting signals generator 46. Alerting signals generator 46 provides for making the television receiver user aware of the presence of the ringer signal. The alerting signal may comprise, by way of example, a signal routed to an LED 48 mounted on the television receiver front panel or, alternatively, the alerting signal may be an audible signal heard by way of the audio amplifier 42 and speaker 44.

Thus, Hofmann et al. only teaches that when a ringer signal occurs, the Hofmann et al. apparatus generates an alert signal. The alert signal is described as an LED or an audible signal. Hofmann et al. does not switch off and on at a predetermined interval the audio output of the TV module as recited in Claim 1.

Further, Porco relates to an electrical system providing power to separate two devices, i.e. a vehicular telephone and an audio system. More particularly, the electrical system primarily supplies power to the vehicular telephone when the telephone is in use, and supplies power to the audio system when the telephone is in a standby state. That is, Porco discloses interrupting the power supply to the audio system when receiving/sending operations are performed in the vehicular telephone while supplying power to the audio system, and supplying power to the

vehicular telephone. However, Porco merely discloses supplying power to one of the vehicular telephone for telephone function and the audio system for audio output, but fails to teach or suggest a first incoming call mode for automatically switching a TV mode to a phone mode in a portable cellular phone having a phone mode and a TV mode, recited in the claims of the present application.

Still further, Hofmann et al. merely discloses informing a user when a ring signal is generated through the use of an LED or an audio signal when the ring signal is generated during the TV mode, but fails to teach or suggest a second incoming call mode, as recited in the claims of the present application.

Based on at least the foregoing, withdrawal of the rejection of independent Claim 1 under §103(a) is respectfully requested.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2 and 3, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2 and 3 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-3, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/MJM/dr